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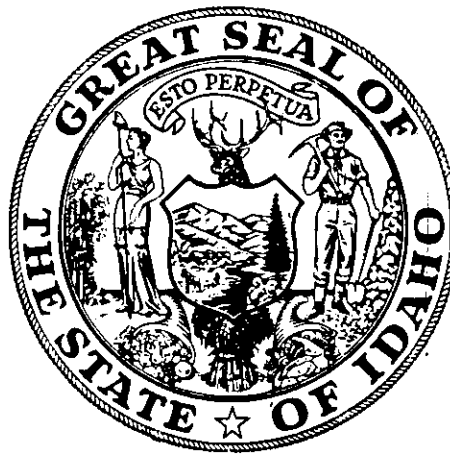
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EXECUTIVE REORGANIZATION IN IDAHO

AN OVERVIEW



STATE PLANNING AND COMMUNITY AFFAIRS AGENCY
EXECUTIVE REORGANIZATION STAFF

JANUARY 1972

**EXECUTIVE REORGANIZATION
IN
IDAHO**

An Overview

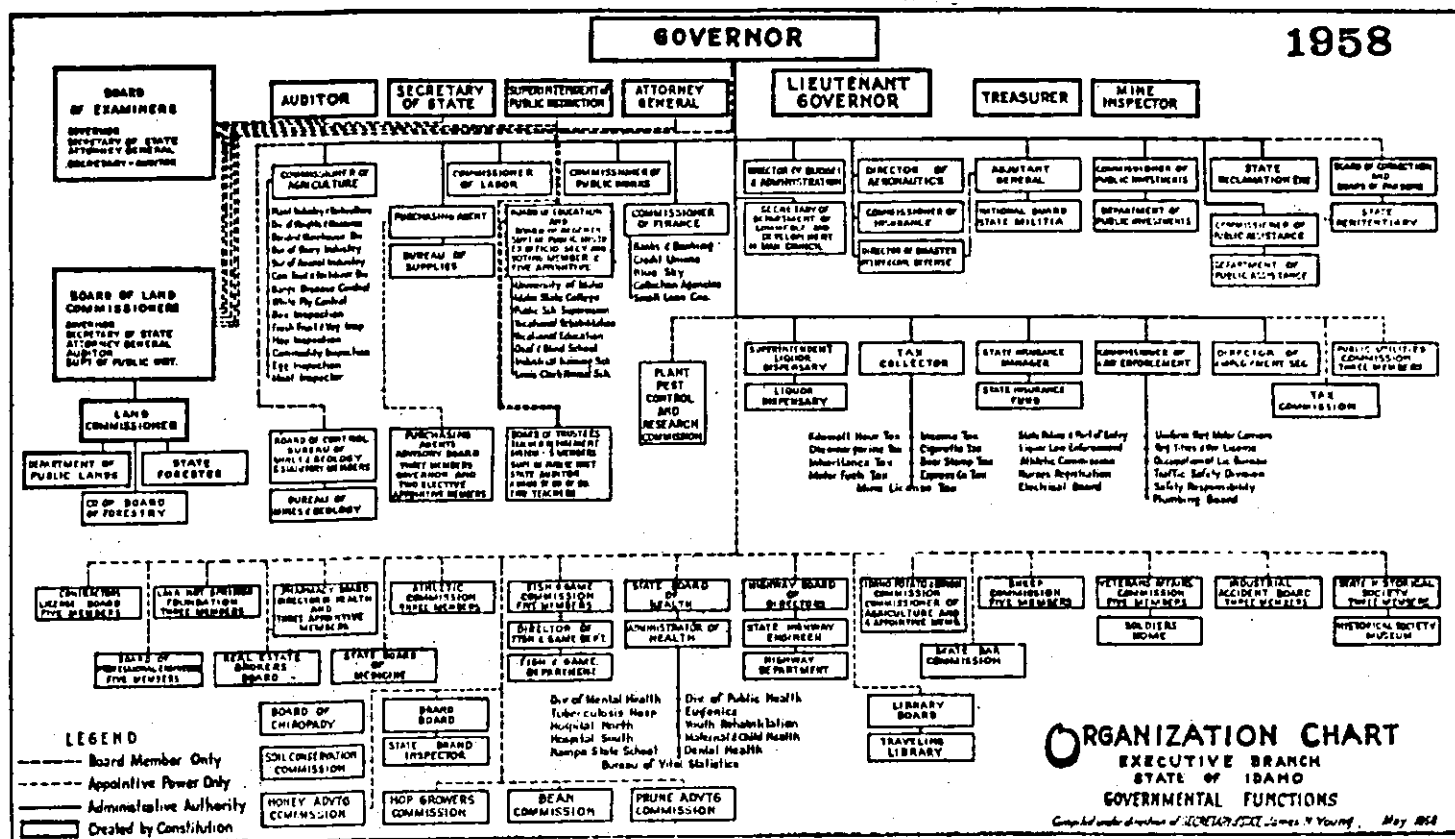
**State Planning and Community Affairs Agency
Executive Reorganization Staff
January 1972**

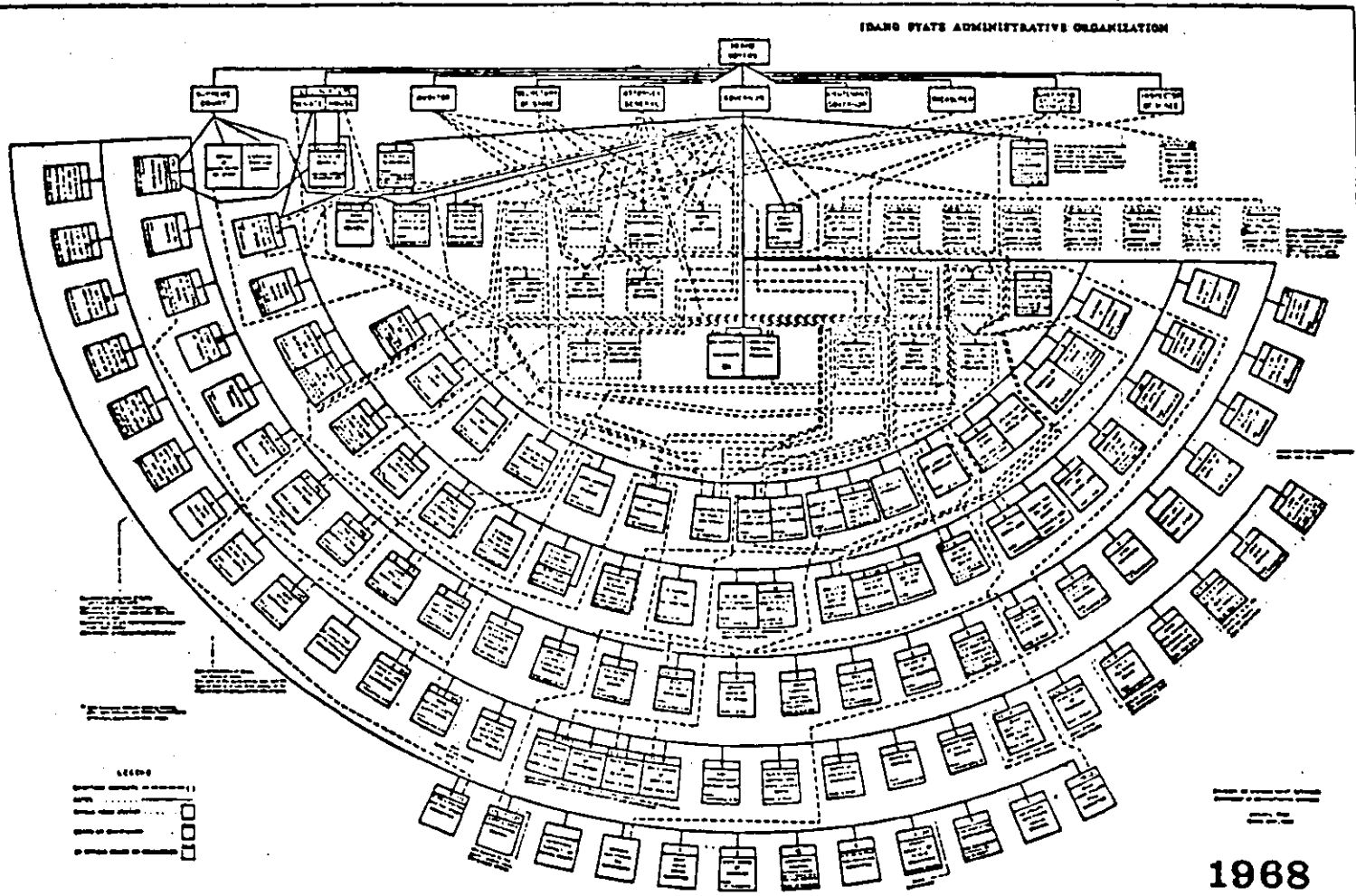
"The time has come to match our structure to our purpose — to look with a fresh eye, and to organize the government by conscious, comprehensive design to meet the new needs of a new era . . . this is not a partisan matter, for there is no Republican way and no Democratic way to reorganize the government."

*President Richard M. Nixon
State of the Union Address
January 22, 1971*

I. ADMINISTRATIVE PROBLEMS OF IDAHO'S EXECUTIVE ORGANIZATION STRUCTURE

The Executive Branch of Idaho's state government is today hampered by a number of organizational problems. They have developed primarily because of the haphazard pattern in which the Executive Branch has grown over the past two decades. Over 260 departments, agencies, boards, bureaus, commissions, and committees now function within the Executive Branch, most of them highly autonomous, established in response to needs and pressures of the moment without regard to functional relationships. The charts below, one representing the Executive Branch's organizational structure in 1958, the other in 1968, represent the unstructured growth that has occurred in our state government in just 10 years.





**THE EXECUTIVE BRANCH OF
IDAHO STATE GOVERNMENT
1968**

As a result of this haphazard growth, a diffusion of responsibility has developed which severely handicaps the overall performance of state government. The Governor, for example, is unable to effectively exercise his constitutional "supreme executive power" to see that the laws are faithfully executed. The Governor's job of overseeing and effectively coordinating 260 administrative entities, most of which report only to him, is an impossible one. Governmental "drift" and a general lack of efficient effort is the result.

The proliferation of state instrumentalities also makes it difficult, if not impossible, for the Legislature to keep adequately informed of state needs (especially in the area of appropriations to agencies) and problems, to

reasonably review the performance of the Executive Branch, and to provide consistent policy direction. The democratic ideal of legislative control over the Executive Branch has become endangered as the workings of the Executive Branch has become, by virtue of the sheer number of administrative units and their chaotic lines of authority and responsibility, obscure even to experienced legislators, not to mention the people whom government is supposed to serve.

Any evaluation of Idaho's executive government should proceed on the basis of at least three central questions that will serve as criteria for that evaluation.

Those questions are:

1. Are the agencies in the Executive Branch of our government sufficiently responsive to the policy direction of the Governor and of the Legislature to accomplish effectively the objectives of those policies? Are they sufficiently accountable for their actions?

And as a corollary:

2. Is the present machinery of state government able to deliver to the public a reasonable return in terms of the services received, for tax money invested?

And further, as a means of measuring the foregoing:

3. Does the present machinery of our government conform to those principles of sound organization and utilize those tools of modern management, as are pertinent and applicable to public administration?

Unfortunately, the answer to all three of the above questions is no. Idaho's Executive Branch is a very large, loose and rambling affair characterized by vague and confusing lines of authority, responsibility and function. The organization is not acceptably responsive to legislative or executive policy direction and is thereby inefficient and costly. Citizens are denied rightful services because of the inefficiencies, waste and duplication that are inherent in the fragmentation of administrative responsibilities. The State's Executive Branch does not do its job as well as it should.

Idaho is fortunate to have in its service a high number of capable and dedicated public servants. But even the most capable administrator finds it difficult to coordinate his efforts with other units of state government in the present bureaucratic maze. Even if an administrator is able to gain a clear overview of a broad problem relevant to his work, he is often unable to do

enough about it because the machinery necessary to solve the problem is divided among several state agencies.

In fact, the central problem with the present executive organization is its inability to cope with problems and needs in broad areas of major public concern. The diffusion of administrative responsibility among many autonomous executive agencies makes it extremely difficult to launch a coordinated attack on broad, complex problems. It is as if the various units of an attacking army were operating under a variety of highly independent commands. Communication and interaction are minimized, and no one agency is able to take a comprehensive view of any large social or economic problem. In such a situation, misdirected efforts on the part of state agencies are less likely to be corrected, and coordination and planning become almost impossible.

Divided responsibility can also mean that some problems slip between the cracks and disappear from state government's view. Everybody's business becomes nobody's business, and embarrassing gaps appear which no agency attempts to fill. At other times, several agencies may duplicate efforts in seeking solutions to a given problem. That problem then soon becomes an object of overkill.

This diffusion of the power to achieve goals and solve problems has prompted the growth of an entirely new layer of bureaucracy at the interagency level to attempt some coordination and advisement of the various agencies that may address a single complex problem. But this procedure may hamper progress as well as promote it. "Coordinating" efforts means many hours of the time of department heads and administrators in meetings of interagency councils and committees. This kind of "coordination" costs valuable time and effort of administrators and detracts from their efforts in managing their own departments and attending to the more basic functions of state government.

One very accurate indicator of the vitality of an organization is the level of interaction that is maintained among the major units of the organization. A high level of spontaneous interaction generates an overall cohesiveness that enables the organization to act effectively. But when the number of units in the organization becomes too great, then the level of interaction necessarily falls and the vitality and effectiveness of the organization decreases. No amount of artificial "coordinating" measures can help very much.

Obviously, such an unwieldy executive structure did not spring up by design because certainly no one would choose this form over one that represented even rudimentary principles of good organization. The fact is that the structure just grew. The last time any thoroughgoing revision of the state's administrative structure took place was in 1919, with the creation of a number

of civil state departments — over 50 years ago. At that time, the existing agencies, far fewer than today, were grouped into a structure of less than 20 departments. But over the course of years and especially within the last 10 to 15 years, numerous other units were established outside of the departmental structure. The specific reasons for non-inclusion in the centrally defined structure were varied, but they were generally reflective of pressures other than those of consistent dedication to sound organizational principles.

II. LIMITATIONS ON LEGISLATIVE CONTROL AND EXECUTIVE RESPONSIBILITY

The large size and fragmented character of Idaho's Executive Branch has serious consequences for the Legislature by diminishing its ability to establish prudently considered policies for the state and to conduct careful and exacting evaluations of executive operations. No matter how carefully or thoroughly a legislator does his homework, he cannot possibly be expected to exercise an informed vote on all issues relating to such a massive and fragmented administrative structure.

In recent years, it has become increasingly clear to members of the Legislature that they are losing their capacity to effectively fulfill their responsibilities with respect to the Executive Branch. The fragmentation of responsibilities within the Executive Branch not only restricts the ability of the Legislature to make broad and comprehensive policy directives, but diminishes the Legislature's ability to determine whether its policies are in fact, being carried out by the Executive Branch. Feedback to the Legislature from the many administrative units is varied and confusing, composed for the most part of many narrow viewpoints. An overall picture of administrative performance is difficult to extract from the many reports that the Legislature receives. If the Legislature wants to find out how a certain program is working, it often becomes necessary to consult with half a dozen authorities, none of whom have the full responsibility for the program, since the machinery for doing the job is divided among them.

The disorganized structure of the Executive Branch also restricts the Legislature's ability to prudently manage the taxpayers' money. When the Legislature cannot properly evaluate the performance of the Executive Branch or place the responsibility for the success or failure of programs in any one place, then the job of intelligently assessing the Executive Branch's budgetary needs becomes an impossible one. The Executive Branch then becomes, on the whole, a bad investment by absorbing large amounts of money without providing any firm promise of a reasonable return on the funds.

And finally, the Executive Branch's rambling organization increases to unmanageable dimensions the amount of trivia with which legislators must concern themselves every year. In the brief time of the legislative session, our legislators must wade through and evaluate an enormous amount of paperwork. How much simpler the job would be with a simpler government!

The Executive Branch's loose and poorly organized structure causes problems and frustrations not only for legislators but for administrators as well, and that includes the Governor. Every four years the voters of the State of Idaho elect to the office of Governor the man that seems the most likely to be responsive to the state's problems. But no matter how responsive the Governor is, if the bulk of the Executive Branch will not reflect that responsiveness, then the purpose of the ballot box is thwarted. And that is where the constitutional link between the people and their government has been all but eliminated in Idaho. The Executive Branch has gotten beyond the purview of the Governor, the Legislature, and the people by the simple virtue of its size. No one can even remember the names of, much less keep track and evaluate the performance of, 260 departments, agencies, commissions, bureaus, boards, and committees. The Governor's office these days is swamped with administrative trivia and detail that detract from the more important job of the overall supervision of administrative policy.

This lack of central authority in executive state government does not, as it was intended to do, serve to protect the interest of the people; in fact, the people are "shortchanged" because the scattering and disbursing of executive authority does not promote democratic government simply because it is impossible for the electorate to meaningfully fix responsibility anywhere for the administration of governmental affairs.

III. A HISTORY OF EXECUTIVE REORGANIZATION

Idaho is not unique in experiencing the problems that call for executive reorganization. Since the early years of the century many states have undertaken comprehensive modernization of their executive branches. The first state to complete a thorough reorganization was Illinois in 1917. That state reduced more than 120 administrative units to nine major departments. Since then, 37 states have reorganized substantially, and one-third of them have done so within the past five years. This recent resurgence of reorganization activity at the state level has occurred primarily because of the increasing complexity in state programs and the resulting strains, conflicts and inefficiencies generated within outmoded administrative structures. A new awareness of the need to

strengthen the legislative process by providing for more effective and responsive administrative tools has given impetus to reorganization activity.

Among the states that have recently accomplished comprehensive executive reorganization are Michigan, which reorganized in 1965; Wisconsin in 1967; Colorado and Florida in 1968; Massachusetts in 1969; Delaware and Maryland in 1969-70; and Arkansas, Maine, Montana, and North Carolina in 1971. Four of those states, Colorado, Florida, Montana and North Carolina, first adopted constitutional amendments limiting the number of principal agencies in their executive branches before carrying out reorganization. Two other states, Massachusetts and Michigan have been limited to 20 principal agencies for some years now. Other states that limited the number of principal agencies within their executive branches several years ago are Alaska, Hawaii, New Jersey, New York (all of which are limited to 20) and Missouri (which is limited to 14).

The history of executive reorganization on the state level in the United States is characterized by two distinct surges of activity. The first one started with Illinois in 1917 and lasted for about 10 years during which time nine states, including Idaho, accomplished a thorough revamping of their administrative structures. The second period began in 1963 when Michigan adopted a new constitution which limited the number of principal agencies in the executive branch to 20. Since then, every year has seen at least one or two states reorganize, and 1971 saw four states do so.

Idaho has a history of progressiveness in administrative organization. We were one of the first states after Illinois to conduct a major restructuring of our Executive Branch. The 1919 Legislature did a thorough job of housecleaning when it abolished over 40 commissions, boards and offices and grouped what was left under nine major departments. The object of the reorganization was explicitly the promotion of governmental efficiency. In fact, the legislators were so anxious "to effect a saving in administrative expense and an increase in efficiency" (Section 53, Chapter 8, 1919 Laws of Idaho) that they gave the Executive Branch only six weeks to conform to the new organizational pattern. Of course, reorganization was easier to do in those days, and by the spring of 1919, Idaho's State government was in trim, shipshape condition.

The shape and size of Idaho's State government has changed considerably since 1919. The original structure worked well for about 40 years, but the last 15 years has witnessed an accelerated growth of the Executive Branch that has rendered the old organizational lines ineffective. In former years it was possible for the Legislature to provide consistent policy direction for the Executive Branch and to see that it was followed. It was possible for the Governor to control the state's bureaucracy to meet problems and issues that needed

immediate attention and to scrupulously carry out legislative mandates. These days, the uncontrolled and haphazard proliferation of executive instrumentalities has made all that impossible. Idaho's bureaucracy is much larger than it was in 1919, but it isn't so large that it must remain permanently in such disarray. The job of reorganizing today will be a much bigger one than it was in 1919, but it is also a much more needed one.

Twice since 1919, the Idaho Legislature has shown some interest in executive reorganization. In 1949, the Legislature appropriated \$25,000 to an interim committee to conduct "a thorough, complete and constructive study and review of the entire organization and structure of state government in Idaho and of every department, institution, board and other agency of the state government and the function thereof, for the purpose of developing and recommending a program of improvement and economy which will promote efficiency in the operation of state government . . ." (Section 1, Chapter 247, 1949, Laws of Idaho). The committee's work resulted in a few recommendations one of which the 1950 Legislature adopted when it set up a postal system for the Statehouse. The Legislature then passed two concurrent resolutions, one thanking the committee for its work, the other storing the committee's records with the Secretary of State.

Then in 1965, the need for a modernization of Idaho's administrative organization was recognized by the Legislature when it authorized the Legislative Council to conduct a study of the organization of the Executive Branch and to develop recommendations for legislation that would eliminate duplication of functions within the Executive Branch.

The original idea was to reduce the number of major agencies within the Executive Branch to about 18. However, the final result of the committee's work consisted of a legislative package of 26 bills that affected only four main areas of administrative procedure and all but five of those bills died in committee.

The problems and obstacles that Idaho's disorganized administrative structure presents for the Legislature and the Governor's office clearly call for positive and far-reaching action. We need to be even more farsighted than our grandfathers were in 1919. We need for the good of Idaho, a governmental organization that is a more effective instrument of the people in meeting and solving the many public problems with which Idaho will be faced in coming years.

States with Constitutional limitations on number of principal agencies in executive branch	Number of principal agencies to which executive branch is limited	States in which Governor may reorganize executive branch by executive order unless vetoed by legislature within sixty days	Governor's reorganization powers provided by constitution or statute.
Alaska-----	20	Alaska-----	Constitution
Colorado-----	20	California-----	Statute
Florida-----	25		
Hawaii-----	20	Georgia-----	Statute
		Kansas-----	Constitution
Michigan-----	20	Maryland-----	Constitution
Missouri-----	14	Massachusetts-----	Constitution
Montana-----	20	Michigan-----	Constitution
New Jersey-----	20	Minnesota-----	Statute
New York-----	20	Missouri-----	Statute
North Carolina-----	25	New Jersey-----	Statute
(Georgia is considering 20 agency limit during current session.)		North Carolina-----	Constitution
		Pennsylvania-----	Statute
		Rhode Island-----	Statute
		Vermont-----	Statute
		Puerto Rico-----	Statute
		Illinois-----	Constitution

IV. EXECUTIVE REORGANIZATION: A STEP TOWARD GREATER EFFICIENCY

The administrative problems and the limitations on legislative control and executive responsibility to which the shortcomings of the present organizational structure of Idaho's State Executive Branch gives rise clearly justify an effort to reorganize the Executive Branch in such a way that those problems will be significantly reduced and those limitations removed.

Since the basic cause of the organizational problem lies in the unchecked and haphazard growth of the Executive Branch, the only sort of reorganization that will be effective is one undertaken on a comprehensive basis . . . one that will encompass the whole breadth of the Executive Branch.

On November 18, 1971, Governor Andrus publicly announced his intention of submitting to the 1972 Legislature a proposed constitutional amendment that would bring just such a comprehensive reorganization about. The amendment would limit the number of principal executive agencies to 20.

It reads thus: "AFTER JANUARY 1, 1975, THERE SHALL BE NO MORE THAN TWENTY (20) PRINCIPAL AGENCIES IN THE EXECUTIVE DEPARTMENT OF STATE GOVERNMENT. THE LEGISLATURE SHALL ALLOCATE BY LAW TO THOSE PRINCIPAL AGENCIES ALL OFFICES, BOARDS, BUREAUS, COMMISSIONS, AGENCIES, AND INSTRUMENTALITIES OF THE EXECUTIVE DEPARTMENT AND THE FUNCTIONS, POWERS, AND DUTIES OF THOSE AGENCIES IN A MANNER THAT WILL PROVIDE FOR AN ORDERLY ARRANGEMENT IN THE ADMINISTRATIVE ORGANIZATION OF STATE GOVERNMENT. THE LEGISLATURE SHALL EXCLUDE FROM THE REQUIREMENTS IMPOSED BY THIS SECTION THE OFFICES AND THE SPECIFIC CONSTITUTIONAL FUNCTIONS, POWERS, AND DUTIES OF THE GOVERNOR, LIEUTENANT GOVERNOR, SECRETARY OF STATE, STATE AUDITOR, STATE TREASURER, ATTORNEY GENERAL, AND SUPERINTENDENT OF PUBLIC INSTRUCTION: HOWEVER, ANY OF THOSE OFFICERS MAY BE DESIGNATED AS THE HEAD OF A PRINCIPAL AGENCY. TEMPORARY AGENCIES MAY BE ESTABLISHED BY LAW OR EXECUTIVE ORDER AND NEED NOT BE ALLOCATED TO A PRINCIPAL AGENCY: HOWEVER, SUCH AGENCIES MAY NOT EXIST FOR MORE THAN TWO YEARS."

Should the 1972 Legislature determine to allow the voters of Idaho to decide whether their executive government should reorganize on a comprehensive and permanent basis, and should the citizens of Idaho vote "Yes" on the question, then the 1973 Legislature will have the responsibility of formulating a blueprint for an Executive Branch organized under no more than 20 principal agencies. Such a reorganization would indeed be a comprehensive one and would insure that any future growth of the Executive Branch would be a controlled growth; the haphazard, random creation of administrative units would be ended.

The timetable for Executive Reorganization reads:

**PROPOSED TIMETABLE FOR
EXECUTIVE REORGANIZATION IN IDAHO**

- I. PRESENT THROUGH JANUARY 1972
 - (A) PREPARE COMPREHENSIVE INVENTORY OF EXISTING STATE ENTITIES
 - (B) PREPARE CONSTITUTIONAL AMENDMENT
 - (C) SEEK BI-PARTISAN SUPPORT
 - (D) PUBLIC ANNOUNCEMENT
- II. JANUARY 1972 THROUGH JANUARY 1973
 - (A) LEGISLATURE PASSES CONSTITUTIONAL AMENDMENT LEGISLATION
 - (1) STAFF CONTINUES IN-HOUSE RESEARCH
 - (B) VOTERS PASS CONSTITUTIONAL AMENDMENT
 - (C) LEGISLATURE AUTHORIZES PREPARATION OF STUDY
- III. JANUARY 1973 THROUGH SPECIAL SESSION
A SPECIAL SESSION OF LEGISLATURE PASSES REORGANIZATION LEGISLATION
- IV. IMPLEMENTATION

The timetable is slightly dated. Phase I has been completed and with it ends the Governor's primary role in the reorganization process of initiating the effort. The accomplishment of Phases II through IV will be up to the 1972 and 1973 Legislatures and to the voters of Idaho.

Of course, any blueprint for a comprehensive reorganization that the Legislature may formulate must of necessity be formulated around certain objectives. A common sense approach would result in an Executive Branch structured along functional lines, oriented to goals and problems in the "outside" world rather than to internal political pressures, and designed to insure the achievement of at least five central goals:

1. **Assurance of protection of the public interest.**
Any reorganized structure must provide reliable mechanisms which prevent usurpation of power, which insures reflection of the public view, and which insulates adjudicative (quasi-judicial) powers sufficiently from the political process.

2. Establishment of workable executive control.

The Chief Executive must be able to be held accountable for the actions of the Executive Branch. Accountability requires control and responsiveness, which can be accomplished only through drastic change in the number of autonomous agencies, and the creation of workable and identifiable lines of authority.

3. Improvement of the services rendered to the public.

There must be clear indications that the reorganized structure can effect improvements in services to the public, by creating viable means of linking related services in both planning and operational stages. These linkages must be identifiable in the organization structure, and not left to chance or the good will of the various administrators involved.

The success of governmental action must be measured in terms of its impact on social and economic problems and not by the degree of activity within state agencies.

4. Improvement in efficiency of administration.

The reorganization must be able to stem the rising costs of government by avoidance of duplication of staff functions, and by insuring most effective deployment of personnel, by providing increased opportunity for career growth in state service, and by minimizing costly procedural controls which cripple the organization.

5. Assurance of effective administrators and of their ability to administer.

The need for administrative competence must be recognized and provided for and major constraints which inhibit good administration must be removed, subject to such controls as are necessary to preserve the public interest.

In a nutshell, the central goal of a reorganization effort should be to enable government to deal effectively with major problems of broad public concern. Today's executive organization does not allow that. Its fragmented structure promotes the piecemeal treatment of large problems that demand comprehensive policy decisions and assiduous, coordinated action. Dedication and talent among those who work for the public can accomplish only so much. The unwieldy structure of 260 parts needs to be modernized if Idaho's state government is to be able to provide services of acceptable quality to the citizens of Idaho and to plan for the proper future development of Idaho's economic, physical and human resources.